

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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| IN RE PHARMACEUTICAL INDUSTRY | : | |
| AVERAGE WHOLESALE PRICE | : | |
| LITIGATION | : | MDL No. 1456 |
| | : | Civil Action No. 01-12257-PBS |
| THIS DOCUMENT RELATES TO: | : | |
| <i>The City of New York v. Abbott Labs., et al.</i> | : | Judge Patti D. Saris |
| S.D.N.Y. Case No. 04-CV-06054 | : | Chief Mag. Judge Marianne B. Bowler |
| <i>County of Albany v. Abbott Labs., et al.</i> | : | |
| N.D.N.Y. Case No. 05-CV-0425 | : | |
| <i>County of Allegany v. Abbott Labs., et al.</i> | : | |
| W.D.N.Y. Case No. 05-CV-0236 | : | |
| <i>County of Broome v. Abbott Labs., et al.</i> | : | |
| N.D.N.Y. Case No. 05-CV-00456 | : | |
| <i>County of Cattaraugus v. Abbott Labs., et al.</i> | : | |
| W.D.N.Y. Case No. 05-CV-0256 | : | |
| <i>County of Cayuga v. Abbott Labs., et al.</i> | : | |
| N.D.N.Y. Case No. 05-CV-0423 | : | |
| <i>County of Chautauqua v. Abbott Labs., et al.</i> | : | |
| W.D.N.Y. Case No. 05-CV-0214 | : | |
| <i>County of Chenango v. Abbott Labs., et al.</i> | : | |
| N.D.N.Y. Case No. 05-CV-0354 | : | |
| <i>County of Fulton v. Abbott Labs., et al.</i> | : | |
| N.D.N.Y. Case No. 05-CV-0519 | : | |
| <i>County of Genesee v. Abbott Labs., et al.</i> | : | |
| W.D.N.Y. Case No. 05-CV-00267 | : | |
| <i>County of Greene v. Abbott Labs., et al.</i> | : | |
| N.D.N.Y. Case No. 05-CV-0474 | : | |
| <i>County of Herkimer v. Abbott Labs., et al.</i> | : | |
| N.D.N.Y. Case No. 05-CV-00415 | : | |
| <i>County of Jefferson v. Abbott Labs., et al.</i> | : | |
| N.D.N.Y. Case No. 05-CV-0715 | : | |
| <i>County of Madison v. Abbott Labs., et al.</i> | : | |
| N.D.N.Y. Case No. 05-CV-0714 | : | |
| <i>County of Monroe v. Abbott Labs., et al.</i> | : | |
| W.D.N.Y. Case No. 05-CV-6148 | : | |
| <i>County of Nassau v. Abbott Labs., et al.</i> | : | |
| E.D.N.Y. Case No. 05-CV-10179 | : | |
| <i>County of Niagara v. Abbott Labs., et al.</i> | : | |
| W.D.N.Y. Case No. 05-CV-6296 | : | |
| <i>County of Oneida v. Abbott Labs., et al.</i> | : | |
| N.D.N.Y. Case No. 05-CV-0489 | : | |

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| <i>County of Onondaga v. Abbott Labs., et al.</i> | : |
| N.D.N.Y. Case No. 05-CV-0088 | : |
| <i>County of Putnam v. Abbott Labs., et al.</i> | : |
| S.D.N.Y. Case No. 05-CV-4748 | : |
| <i>County of Rensselaer v. Abbott Labs., et al.</i> | : |
| N.D.N.Y. Case No. 05-CV-0422 | : |
| <i>County of Rockland v. Abbott Labs., et al.</i> | : |
| S.D.N.Y. Case No. 03-CV-7055 | : |
| <i>County of St. Lawrence v. Abbott Labs., et al.</i> | : |
| N.D.N.Y. Case No. 05-CV-0479 | : |
| <i>County of Saratoga v. Abbott Labs., et al.</i> | : |
| N.D.N.Y. Case No. 05-CV-0478 | : |
| <i>County of Steuben v. Abbott Labs., et al.</i> | : |
| W.D.N.Y. Case No. 05-CV-6223 | : |
| <i>County of Suffolk v. Abbott Labs., et al.</i> | : |
| E.D.N.Y. Case No. 01-CV-12257 | : |
| <i>County of Tompkins v. Abbott Labs., et al.</i> | : |
| N.D.N.Y. Case No. 05-CV-0397 | : |
| <i>County of Warren v. Abbott Labs., et al.</i> | : |
| N.D.N.Y. Case No. 05-CV-0468 | : |
| <i>County of Washington v. Abbott Labs., et al.</i> | : |
| N.D.N.Y. Case No. 05-CV-0408 | : |
| <i>County of Wayne v. Abbott Labs., et al.</i> | : |
| W.D.N.Y. Case No. 05-CV-6138 | : |
| <i>County of Westchester v. Abbott Labs., et al.</i> | : |
| S.D.N.Y. Case No. 03-CV-6178 | : |
| <i>County of Yates v. Abbott Labs., et al.</i> | : |
| W.D.N.Y. Case No. 05-CV-06172 | : |

**JOINT MOTION TO FILE A REPLY IN FURTHER SUPPORT OF NASSAU
COUNTY'S AMENDED MOTION FOR LEAVE TO FILE A SECOND
AMENDED COMPLAINT AND TO FILE UNDER SEAL**

Pursuant to District of Massachusetts Local Rule 7.1(b)(3), plaintiff County of Nassau (“Nassau County”) together with plaintiffs the City of New York and all other New York Counties in this MDL (collectively referred to herein as “the NY Counties”), by and through their counsel, Milberg Weiss on behalf of Nassau County and Kirby McInerney & Squire LLP (“KMS”) on behalf of the NY Counties, hereby respectfully request leave to submit the Joint Reply to Defendants’ Response to County of Nassau’s Amended Motion for Leave to File a

Second Amended Complaint (“Joint Reply”), filed herewith. The Joint Reply will provide further information that will assist this Court in its adjudication of the matter pending before it.

Dated: February 1, 2006
New York, New York

LORNA B. GOODMAN,
Nassau County Attorney, by

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LOCAL RULE 7.1 CERTIFICATE

I, Ryan G. Kriger, hereby certify that I have consulted with Lyndon Tretter, Esq., of Hogan and Hartson, counsel for all Defendants, concerning the within Joint Motion To File A Reply In Further Support Of Nassau County's Amended Motion For Leave To File A Second Amended Complaint And To File Under Seal. I further certify that Mr. Tretter declined to consent to the filing of the Joint Motion.

/s/ Ryan G. Kriger

Ryan G. Kriger

CERTIFICATE OF SERVICE

I, Ryan G. Kriger, hereby certify that I served a copy of the foregoing document upon counsel for all parties this 1st day of February, 2006.

/s/ Ryan G. Kriger

Ryan G. Kriger